

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JARED T. FERGUSON,

Plaintiff,

v.

Case No. 2:23-cv-1540

Judge Edmund A. Sargus, Jr.

Magistrate Judge Chelsey M. Vascura

HAROLD MAY,

Defendant.

ORDER

Petitioner, a state prisoner, sought a writ of habeas corpus pursuant to 28 U.S.C. § 2254. This matter is currently before the Court on Petitioner’s Motion to Dismiss Without Prejudice. (ECF No. 12.) In that Motion, Petitioner indicates that unforeseen circumstances prevent him from timely litigation this action. Petitioner asks for dismissal without prejudice to allow him to “refile the case before the statute of limitations expires.” *Id.* at 1.

The Court **GRANTS** Portioner’s Motion. (ECF No. 12.) The Court makes no determination whether the statute of limitations may bar a later refiling. The Clerk is **DIRECTED** to **DISMISS WITHOUT PREJUDICE** this case and **REMOVE** it from the Court’s active docket.

IT IS SO ORDERED.

9/18/2023
DATE

s/Edmund A. Sargus, Jr.
EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT JUDGE